

Exhibit E

1 UNITED STATES DISTRICT COURT

2 FOR THE DISTRICT OF MARYLAND

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4 SALLY TARQUINIO, :

5 Plaintiff, :

6 vs. : Case No.

7 JOHN'S HOPKINS UNIVERSITY : 1:23-CV-00727

8 APPLIED PHYSICS LAB, :

9 Defendant. :

10 -----x

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13 Deposition of SHAWN SHYRLENA MCGRUDER

14 Greenbelt, Maryland

15 Friday, October 27, 2023

16 10:21 a.m.

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18
19
20 Job No.: 510889

21 Pages: 1 - 42

22 Recorded By: Natnael Assefa

Transcript of Shawn Shyrlena McGruder

Conducted on October 27, 2023

19

1 particular type of request, are you talking about a
2 request for exemption to the COVID vaccination
3 requirement?

4 A Correct.

5 Q Okay. And when you say whether the staff
6 member can socially distance, what do you mean by
7 that?

8 A Throughout the pandemic, staff, you know,
9 were particularly -- unvaccinated staff, you know,
10 needed to maintain six feet, social distance
11 perimeter; right? You know, with -- at all times.
12 And -- and --

13 Q So if I -- if I bring up the word COVID
14 protocols, would that include -- in your
15 understanding, would that include social distancing,
16 wearing a mask, for example, maybe self-reporting,
17 sort of all those things that we generally
18 understood during the COVID pandemic?

19 A Those sound like good examples to me.

20 Q Precautions?

21 A Yes.

22 Q Correct? And so when you were evaluating

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1 Ms. Tarquinio's request for exemption, was she
2 considered to be a danger to other employees?

3 MR. ROSS: Object to the form. You can
4 answer.

5 THE WITNESS: When I evaluate -- I guess
6 your short answer is yes.

7 BY MR. SCHIFANELLI:

8 Q Okay. Yeah. It -- it's kind of hard --
9 we'll -- we'll get -- we'll clarify it out. And so
10 when you say whether the staff member could safely
11 perform the essential job functions, in -- in
12 regards to this type of request for the COVID-19
13 vaccine exemption, what factors did you personally
14 consider, if any -- let me back up.

15 Did you make a determination at any
16 point whether or not Ms. Tarquinio could safely
17 perform her job functions if she were not vaccinated?

18 A To some extent, yes.

19 Q To what extent?

20 A Well, to the extent that she was not
21 vaccinated and had not established a medical need to
22 remain unvaccinated.

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1 Q Okay. So what was your understanding for
2 the reason, or did you have a -- an opinion or an
3 understanding regarding why the vaccination policy
4 was in effect in the first place?

5 A Yes.

6 Q What was that?

7 A Initially, you know, it was for the
8 safety of staff. It was for the safety of staff.
9 We also, at the beginning, when it was implemented,
10 had -- had an executive order. And we're a federal
11 contractor that was required to comply with the
12 executive order.

13 Q Right. With the exception of lawful
14 request for accommodation under the AAA or Title VII
15 or something like that; correct?

16 A Correct.

17 Q Okay. And just bear with me a second,
18 because I do want to clarify this.

19 So was it your understanding that
20 APL personnel who were not vaccinated posed a
21 particular threat to other employees by virtue of
22 not being vaccinated?